



## Hudson River PCBs SUPERFUND SITE

Region 2: NJ, NY, PR, VI • 290 Broadway, New York, NY 10007

## Quality of Life Performance Standards Navigation

December 2003

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### Highlights

This fact sheet is one of six that have been created to assist the public in review of the draft quality of life performance standards developed to minimize the impacts of the Hudson River cleanup on local communities. It describes the primary components of the performance standard for potential navigational concerns from the project. Information on the performance standards for air quality, odor, noise and lighting can be found in a general overview and in individual fact sheets on these topics, and in the Draft Quality of Life Performance Standards document, which is available for public review and comment.

The public comment period for the draft quality of life performance standards begins on December 19, 2003 and ends on February 17, 2004.

### Background

The February 2002 Record of Decision (ROD) for the Hudson River PCBs Superfund site requires the development of performance standards that set specific goals and requirements for the project. The quality of life performance standards are intended to reduce the effects of the dredging; sediment processing, transferring, and dewatering; and support operations on people, businesses, recreation, and community activities in the project area. The U.S. Environmental Protection Agency (EPA) will review project design plans for consistency with the quality of life performance standards and will oversee cleanup activities to ensure that they are met.

### Navigation Standard

The river will be used by recreational, commercial, and project-related vessels during the cleanup. The navigation standard is designed to avoid unnecessary interference with or the slowdown of vessels unrelated to the cleanup that are within the project area.

The standard incorporates the applicable sections of federal and state navigation laws, rules, and regulations. It also calls for the following requirements, as needed, to meet the goal of the standard:

- *Evaluating vessel movement;*
- *Restricting access to work areas and providing safe access around them;*

- *Keeping mariners informed about scheduled project work that might affect vessel movement;*
- *Establishing temporary aids to navigation such as signs and buoys to maintain safe and efficient vessel movement; and*
- *Scheduling project activities to consider vessel movement.*



### Compliance with the Navigation Standard

Compliance with the standard will be monitored by EPA in consultation with the New York State Canal Corporation (NYSCC) and/or other appropriate agencies. It will be evaluated based on criteria such as vessel traffic, wait times at locks, and complaints received.

The actions required to comply with the standard during cleanup will be guided by the following:

- *If the navigation standard is not exceeded (typical operations), operations will continue as designed, with regular reporting to EPA and NYSCC.*

- *If a deviation from the standard is noted (e.g., unnecessary vessel slowdowns, failure to provide adequate notice to mariners) and it can be easily and immediately controlled, or if a project-related complaint is received:*

- the deviation or complaint will be investigated,
- appropriate steps will be taken to resolve the complaint and/or the deviation,
- follow-up with the person who made the complaint will be conducted, and
- follow-up reporting to EPA and NYSCC will be conducted.

- *If a deviation cannot be easily or immediately controlled, or if frequent / recurrent complaints are received:*

- the deviation or complaint will be investigated,
- additional monitoring will be performed as needed,
- an action plan will be developed and implemented,
- follow-up with the person who made the complaint will be conducted, and
- EPA will be notified within 24 hours of discovery, and a detailed report will be provided.

EPA will evaluate the methods and frequency of sampling and monitoring as the project proceeds and will consider any necessary changes when appropriate.

EPA will work with local officials and communities through various stakeholder groups, including the Community Advisory Group (CAG), to keep them up-to-date on compliance with the performance standard. EPA and/or personnel responsible for day-to-day operations will provide updates through verbal and/or written notifications and regularly scheduled stakeholder and CAG meetings.

### Public Review

The Draft Quality of Life Performance Standards document is available at the information repositories located in Glens Falls, Ft. Edward (Hudson River Field Office), Ballston Spa, Albany, Poughkeepsie, New York City (EPA Region 2 offices) and in Edgewater, New Jersey. Electronic versions can be found on the EPA project Web site ([www.epa.gov/hudson](http://www.epa.gov/hudson)). Copies are also available in print and on CD-ROM by calling the Hudson River Field Office. The public can submit comments in writing via hard copy and email. All comments should be sent to:



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### For More Information

Visit, call, or write to the Hudson River Field Office at the address below or log on to **[www.epa.gov/hudson](http://www.epa.gov/hudson)**.

#### EPA Contacts

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*The Field Office hours are Monday – Friday  
 8:00 am – 4:30 pm, with evening hours by  
 appointment.*

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#### EPA Regional Public Liaison

EPA Region 2 has designated a public liaison as a point-of-contact for community concerns and questions about the federal Superfund program in New York, New Jersey, Puerto Rico, and the U.S. Virgin Islands. To support this effort, the Agency has established a 24-hour, toll-free number that the public can call to request information, express concerns, or register complaints about Superfund. The public liaison for EPA's Region 2 office is: George H. Zachos, U.S. EPA, Region 2, 2890 Woodbridge Avenue MS-211, Edison, New Jersey 08837, (732) 321-6621, Toll-free (888) 283-7626.